

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-against-

FREDY RENAN NAJERA MONTOYA,

Defendant.

ORDER

S1 15 Cr. 378 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

On February 19, 2020, Defendant Fredy Renan Najera Montoya pled guilty to several drug trafficking and firearms offenses. (Dkt. No. 138) In preparation for sentencing, the Defendant has objected to the following factual allegations set forth in the Presentence Investigation Report (“PSR”) and the Government’s December 23, 2020 sentencing brief (Dkt. No. 156):

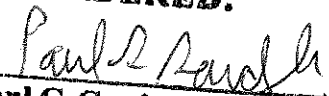
- 1) Najera’s alleged involvement in the murder of Claudio Rigoberto Mendez (PSR (Dkt. No. 170) ¶¶ 72-79);
- 2) Najera’s alleged offer to “fix” his own election for \$100,000 (id. ¶ 82);
- 3) Najera’s alleged request for \$1 million from the Sinaloa Cartel to be paid to Yani Rosenthal’s presidential campaign (id. ¶ 88);
- 4) Najera’s alleged participation in a January 2014 meeting regarding the election of Oscar Najera as president of the Honduran National Congress (id. ¶ 93); and
- 5) Najera’s alleged construction of the Catacamas Airstrip in Olancho to receive drug shipments. (Id. ¶ 51-52).

The Government will submit a letter by **November 16, 2021** stating whether it intends to offer evidence of these disputed facts at a Fatico hearing. Once the Court receives the

Government's submission, the Court will set a date for a Fatico hearing to resolve any remaining factual disputes.

The Defendant's sentencing, currently scheduled for November 10, 2021, is adjourned sine die.

Dated: New York, New York
November 8, 2021

SO ORDERED:

Paul G. Gardephe, U.S.D.J.